

UNITED STATES DISTRICT COURT

Feb 14, 2018

SEAN F. McAVOY, CLERK

EASTERN DISTRICT OF WASHINGTON

JUSTINA CHOW,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:17-cv-03117-FVS

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

ECF No. 13, 17

The parties filed a stipulated motion for remand. ECF No. 17. Attorney D. James Tree represents Plaintiff. Special Assistant U.S. Attorney Catherine Escobar represents Defendant. After consideration,

IT IS HEREBY ORDERED:

1. The parties' Stipulated Motion for Remand (**ECF No. 17**) is

GRANTED.

2. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). The parties agree on and the Court **ORDERS** the following terms:

1 On remand, the Administrative Law Judge (ALJ) will offer Plaintiff the
2 opportunity for a new hearing and will issue a new decision. The ALJ will
3 obtain medical expert evidence if necessary; reevaluate the medical
4 evidence; reevaluate Plaintiff's subjective allegations of pain and
5 limitations; reassess the Plaintiff's residual functional capacity; and as
6 warranted, obtain additional vocational evidence to reevaluate step five of
7 the sequential evaluation.

8 3. Upon proper presentation, this Court will consider Plaintiff's
9 application for costs, expenses, and reasonable attorney's fees under the
10 Equal Access to Justice Act, 28 U.S.C. § 2412(a),(d).

11 4. Plaintiff's motion for summary judgment (**ECF No. 13**) and the
12 hearing and remaining briefing schedule are **vacated** as moot.

13 The District Court Executive is directed to file this Order and provide copies
14 to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

15 DATED February 14, 2018.

16 s/ Fred Van Sickle
17 Fred Van Sickle
18 Senior United States District Judge
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